



Play the Game

● Play the Game 2019

Athlete power
on the rise

13-16 October
Colorado Springs, CO • USA



Geoff Parsons

Olympic High Jumper
Politician
Entrepreneur



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- Observer to the UK National Anti-Doping Panel 2009 -12
- NED of various sporting bodies
- Created the first Government funded player organisation in UK, that became British Athletes Commission



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The Jess Varnish Case



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- British Cyclist
- Identified at 12 for the British talent Programme
- Remained inside the UK Lottery funding “bubble” until she was 24, when she was removed from funding





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Asserted that she had been bullied as part of a climate of fear and control within the sport

Asserted that her removal from funding was not performance based



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Sought redress via an employment tribunal claiming that she was an employee and thus sought to exercise rights under employment law, namely wrongful dismissal





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Was she an employee?

In the Employment Rights Act of 1996, an “employee” means an individual who has entered into or works under a contract of employment

In this act a contract of employment means a contract of service or apprenticeship, whether express or implied and whether oral or in writing





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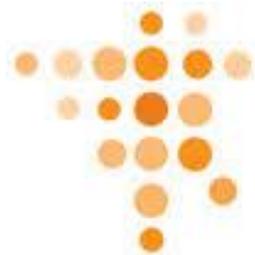
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- Did the worker agree to provide her own work and skill in return for remuneration?
- Did the worker agree expressly or impliedly to be subject to a sufficient degree of control for the relationship to be one of master and servant?
- Were the other provisions of the contract consistent with it being a contract of service?





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“There was no obligation on the claimant to accept coaching support from the coach supplied to her by British Cycling”

“I accept that there was some inequality of bargaining power between the parties...”



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“I find the opportunity to obtain advice on the agreement whether from her parents or an agent so the claimant was clear about it’s terms ameliorates the inequality of bargaining power between the claimant and the first respondent”





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Jess varnish lost the case,
but the opportunity to
appeal is under review



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UK Sport boss Liz Nicholl has denied threatening Jess Varnish with bankruptcy in their legal dispute, but warned there would be "significant implications" if the former track cyclist wins





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A suggestion.....

Athletes (of a particularly standard) are recognised as employees, in the same way as their coaches, NGB staff etc. but with specialised “athlete contracts”.



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After 9 years as CEO of UK Sport, Liz Nichol left with a pension and a CBE

● After 12 years inside the elite funding system, Jess Varnish left with nothing



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